

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FRAY LYNCH, :
 :
 :
Plaintiff, :
 :
 :
v. : Civil Action No. 06-351-JJF
 :
 :
CITY OF WILMINGTON, :
 :
 :
Defendant. :

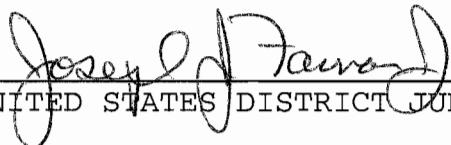
O R D E R

WHEREAS, Defendant has filed a Motion For Joinder Of An Indispensable Party Under Civil Rule 19, Or Alternative Motion To Dismiss Pursuant To Civil Rule 12(b)(7) (D.I. 4) on September 29, 2006;

WHEREAS, Plaintiff's Answering brief to the Motion was due by October 16, 2006, but to date, Plaintiff has failed to file a response to Plaintiff's Motion;

NOW THEREFORE, IT IS HEREBY ORDERED that Plaintiff file a response to the Motion **within ten (10) days** of the date of this Order. If Plaintiff fails to file a response, the Court will adjudicate the Motion on the papers submitted.

October 30, 2006
DATE



UNITED STATES DISTRICT JUDGE